

No. 99-207V

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended,

alleges that she “experienced adverse reactions” to the hepatitis B vaccinations that she received “[o]n or about September of 1997, October of 1997 and December 15, 1997.” Petition (Pet.) at ¶ 3.

On May 25, 2007, the undersigned issued a decision that found that petitioner was not entitled to compensation under the Act.

On October 12, 2007, petitioner filed an Application for Attorneys’ Fees and Costs (Fee App.) requesting a total of \$16,646.98, comprised of \$14,808.25 in attorneys’ fees, \$1,377.78 in attorneys’ costs, and \$460.95 in petitioner’s costs. See Fee App., filed October 12, 2007. Respondent’s counsel objected to the fee application. On October 18, 2007, respondent’s counsel filed a joint status report amending petitioner’s counsel’s fee request. Petitioner’s counsel now seeks \$13,908.25 in attorneys’ fees, \$1,377.78, in attorneys’ costs, and \$460.95 in petitioner’s costs, for a total of \$15,746.98. See Joint Status Report (Joint SR) at 1.

The Vaccine Act permits an award of reasonable attorneys’ fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of petitioners’ request and on respondent’s counsel’s lack of objection to petitioners’ counsel’s amended fee request, the undersigned **GRANTS** the attorney’s fees and costs as outlined in the joint status report filed on October 18, 2007.

The undersigned awards petitioner \$15,746.98 in fees and costs.

Therefore, in the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in petitioner’s favor in the amount of \$15,746.98 in attorneys’ fees and attorneys’ costs and petitioner’s costs.³ The judgment shall reflect that the Shoemaker and Associates law firm may collect \$15,286.03 from petitioner. See Joint SR at 1. Finally, the judgment shall reflect that petitioner may retain \$460.95 for his out-of-pocket expenses. Id. ¶ 5.

42 U.S.C.A. § 300aa-10-§ 300aa-34 (West 1991 & Supp. 2002) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties’ joint filing of notice renouncing the right to seek review.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
Patricia E. Campbell-Smith
Special Master